

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75597 of 2019

Arising Out of PS. Case No.-288 Year-2019 Thana- RAHUI District- Nalanda

Anish Kumar Son of Devendra Sharma, a resident of Indrapuri, Keshari Nagar, Police Station- Patliputra, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Arvind Kumar Mouar, Advocate

For the Opposite Party : Mr.Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

3 17-06-2020 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State via video conferencing.

The petitioner seeks pre-arrest bail in connection with Rahui P. S. Case No.288 of 2019 registered under Sections 406 and 420 of the Indian Penal Code.

Learned counsel for the petitioner submitted that the present FIR has been instituted at the instance of the Additional Chief Secretary, Water Resources Department, Sri K. K. Pathak. Immediately before the institution of the present case on 24.07.2019, the Director of Maa Shakuntala Infrastructure



Private Limited, namely, Kumud Raj Singh had instituted Sachiwalaya P.S. Case No.190 of 2019 dated 23.07.2019 under Sections 341, 323, 504 and 506 read with 34 of the Indian Penal Code against Sri K. K. Pathak, Rabindra Singh, Superintending Engineer, Sri Rajesh Kumar, Executive Engineer, Sri Ajit Kumar, Assistant Engineer and Sri Vinod Kumar, Junior Engineer (Informant) of Water Resources Department. He submitted that the instant case has been instituted in retaliation to the case instituted by the Director of the Company. Lastly, he contended that the show-cause notice issued by the Executive Engineer, Water Resources Department itself would reflect that damage to the culverts was not done due to substandard construction but because of heavy rain.

Learned Additional Public Prosecutor for the State has opposed the prayer for grant of pre-arrest bail to the petitioner.

Regard being had to the facts and circumstances of the case and the submissions made above, in the event of arrest or surrender before the court below, the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-1st, Nalanda at Biharsharif in Rahui P. S. Case No.288 of 2019, subject to the



conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

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